

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

WILLIAM G. TOURET, ET AL.,

Plaintiffs

v.

C.A. No. 04-198T

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION, ET AL.

Defendants

ORDER SCHEDULING EVIDENTIARY HEARING

On Tuesday November 28th, 2006 at 2:00 PM the Court will hold a hearing to afford the parties an opportunity to present relevant evidence bearing on any of the following issues:

1. Whether the activities to be conducted in the LSB necessarily involve "hazardous, radioactive, medical, and biological wastes" that may significantly affect the quality of the human environment, or whether the building may be used for activities that do not have such effects.
2. Whether Brown would have constructed the LSB in its current form, and used it for the same purposes, even if Brown had not received any federal funding.
3. Whether there has been "major federal action" taken with respect to construction of the LSB.

4. Whether, prior to construction, Brown received any federal grants or commitments of future federal grants for work to be performed at the LSB.
5. Whether the federal defendants exercised any control over the construction of the LSB and the activities to be conducted there.

By Order


Deputy Clerk

ENTER:



Ernest C. Torres
Chief Judge

Date: 11/17/06